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| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
|--|-------------|----------------------|---------------------|------------------|
| 10/761,970 | 01/21/2004 | Ju-Byung Lee | 678-1170 (P10817) | 4076 |
| 28249 | 7590 | 02/16/2006 | EXAMINER | |
| DILWORTH & BARRESE, LLP 333 EARLE OVINGTON BLVD. UNIONDALE, NY 11553 | | | D AGOSTA, STEPHEN M | |
| | | | ART UNIT | PAPER NUMBER |
| | | | 2683 | |

DATE MAILED: 02/16/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

| | | | |
|------------------------------|--|--------------------------------------|--|
| Office Action Summary | Application No. 10/761,970 | Applicant(s) LEE, JU-BYUNG | |
| | Examiner Stephen M. D'Agosta | Art Unit 2683 | |

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on ____.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-27-2006 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-2, 7-8, 12 and 18-19 is/are rejected.
- 7) ☒ Claim(s) 3-6,9-11 and 13-17 is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on ____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. ____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. ____. |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date ____. | 6) <input type="checkbox"/> Other: ____. |

DETAILED ACTION

Response to Arguments

Applicant's arguments with respect to claims 1-19 have been considered but are moot in view of the new ground(s) of rejection. A new rejection is found below which addresses the claim amendments.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1-2, 7-8, 12 and 18-19 rejected under 35 U.S.C. 103(a) as being unpatentable over Tsurumi US 6,074,215 and further in view of JP02000122671 and Toriumi US 6,062,868.

As per **claims 1, 7 and 18-19**, Tsurumi teaches a method of providing a Karaoke service to a mobile terminal through a wireless connection (figure 1 shows storage system #1 connecting to substations/Karaoke terminals via a communication satellite – note that some terminals can receive data directly from the satellite, see #3 terminals. C4, L5 to C5, L5), comprising the steps of:

grouping the mobile terminal with mobile terminals having a wired/wireless connection function to receive the Karaoke service together as a service group (figure 1 shows terminals #5 grouped together via LAN. One skilled understands that wireless LAN technology is an equivalent);

designating one of the mobile terminals as a “control” mobile terminal;
designating all other mobile terminals as “non-control” mobile terminals (figure 1 shows

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a sub-station #4 which is interpreted as a “control” terminal while the karaoke terminals #5 are interpreted as non-control terminals);

connecting the master mobile terminal to a Karaoke service provider through a mobile communication network and controlling service content to be received from the Karaoke service provider in all the mobile terminals of the service group (figure 1 shows the service provider/database #1 connecting to the control units (eg. sub-host stations, #4 via satellite/wireless connection);

But is silent on master and slave terminals,

and playing Karaoke music according to the service content by all the mobile terminals in the service group when the master mobile terminal transmits a play command to the slave mobile terminals wherein all the mobile terminals are synchronized in the service group.

JP02000122671A teaches a karaoke system whereby a “master device” connects to a service provider and downloads/stores songs and then said master can connect to another device, ie. a “slave device” (Abstract). This master and slave concept inherently provides support for said master commanding when the slaves will play their music. Further to this point is **Toriumi** who teaches a sing-along data transmitting method whereby a data center transmits video/music data to a “plurality of sing-along data receiving terminals” (abstract, figure 1, 4-5 and C2, L55 to C4, L5), which inherently requires the receive terminals to all be started at the same time, otherwise the sing-along would be out of synchronization. The examiner notes that this patent teaches a master/slave system whereby the master keeps control of , eg. synchronizes, how and what all the units can play.

It would have been obvious to one skilled in the art at the time of the invention to modify Tsurumi, such that master and slave terminals are used and playing Karaoke music according to the service content by all the mobile terminals in the service group when the master mobile terminal transmits a play command to the slave mobile terminals, to provide one control entity for the group who starts/stops the karaoke music.

As per **claims 2 and 8**, Tsurumi teaches claim 1/7, **but is silent on** wherein the wireless connection is carried out by one of Bluetooth, IRDA (Infrared Data Association), and wireless LAN (Local Area Network).

Tsurumi teaches use of wireless communications (satellite) and wired communications (LAN). Wired LAN communications can be replaced by wireless communications such as IEEE 801.11. The examiner takes **Official Notice** that one skilled would use Bluetooth, IRDA or WLAN technology.

It would have been obvious to one skilled in the art at the time of the invention to modify Tsurumi, such that wireless connection is Bluetooth, IRDA or WLAN, to provide means for transmitting the data via well known industry standard technologies.

As per **claim 12**, Tsurumi teaches any of claims 7, wherein the slave mobile terminals receive the service contents from the master mobile terminal by the wireless connection (figure 1 shows karaoke terminals #5 receiving data from sub-host stations).

Allowable Subject Matter

Claims 3-6, 9-11 and 13-17 objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Conclusion

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within

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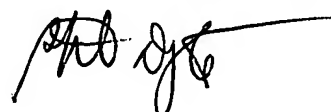
TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Stephen M. D'Agosta whose telephone number is 571-272-7862. The examiner can normally be reached on M-F, 8am to 5pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Bill Trost can be reached on 571-272-7872. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

**STEVE M. D'AGOSTA
PRIMARY EXAMINER**



2-13-06